

MAY-24-2007 09:24

INTERNET  
FORM NLRB-502  
(3-96)

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
PETITION

DO NOT WRITE IN THIS SPACE	
Case No. 20-UD-447	Date Filed 4/6/2007

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering them accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
- ☐ RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- ☐ RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- ☐ RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE) - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- ☒ UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES) - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
- ☐ UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit not previously certified. ☐ In unit previously certified in Case No. \_\_\_\_\_
- ☐ AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_
- Attach statement describing the specific amendment sought.

2. Name of Employer  
Covenant Aviation Security, LLC

Employer Representative to contact  
Telephone Number  
650-821-2300

Telecopier Number (Fax)  
650-635-7449

3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code)  
245 South Spruce Avenue, South San Francisco, California 94080

4a. Type of Establishment (Factory, mine, wholesaler, etc.)  
Security

4b. Identify principal product or service  
Airport Security

5. Unit involved (In UC petition, describe present bargaining unit and attached description of proposed clarification.)

Included  
All full-time and regular part-time airport screeners, airport lead screeners, baggage screeners, baggage lead screeners, baggage handlers and 9000 socialists employed by the San Francisco International Airport, San Francisco, California.

Excluded  
All other employees, office clerical employees, managerial employees and Supervisors as defined in the Act

6a. Number of Employees in Unit:  
Present 1000  
Proposed (By UC/AC)

6b. Is this petition supported by 30% or more of the employees in the unit? ☒ Yes ☐ No  
\*Not applicable in RM, UC, and AC

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable.)

7a. ☐ Request for recognition as Bargaining Representative was made on (Date) \_\_\_\_\_ and Employer declined recognition on or about (Date) \_\_\_\_\_ (If no reply received, so state.)

7b. ☐ Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (If none, so state.)  
Service Employees International Union Local 1877

Affiliation  
Labor Union

Address, Telephone No. and Telecopier No. (Fax)  
45 Polk Street, Second floor, San Francisco, CA 94102 / Phone 415-552-1303 Fax 415-552-1307

Date of Recognition or Certification  
September 30, 2005

9. Expiration Date of Current Contract. If any (Month, Day, Year)  
01/01/2009

10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day, and Year) 01/01/2006

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes ☐ No ☒

11b. If so, approximately how many employees are participating? \_\_\_\_\_, a labor

11c. The Employer has been picketed by or on behalf of (Insert Name) \_\_\_\_\_ Since Month, Day, Year \_\_\_\_\_ organization, of Street Address \_\_\_\_\_

12. Organizations or individuals other than Petitioner (and other than those named in Items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in Item 5 above. (If none, so state.)

Name	Affiliation	Address	Date of Claim
			Telecopier No. (Fax)

13. Full name of party filing petition (If labor organization, give full name, including local name and number)  
Stephen J. Burke, Jr.

14a. Address (street and number, city, state, and ZIP code)  
3661 Fleetwood Drive, San Bruno, California 94066

14b. Telephone No.  
650-588-1690

14c. Telecopier No. (Fax)

15. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when petition is filed by a labor organization)  
United Screeners Association, Local One

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print)  
Stephen J. Burke, Jr.

s/Stephen J. Burke, Jr. 4/6/07

Title (if any)  
Vice-President

Telephone No. 650-588-1690

Telecopier No. (Fax)

Address (street and number, city, state, and ZIP code)  
3661 Fleetwood Drive, San Bruno, California 94066

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. Code, Title 18, Section 1505)

BOARD EXHIBIT 1

ORIGINAL

FORM NLRB-877  
(4-84)

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

Covenant Aviation Security, LLC

Employer

and

Stephen J. Burke, Jr.

Petitioner

and

Service Employees International Union Local 1877  
Union

CASE NO.: 20-UD-447

**AFFIDAVIT OF SERVICE OF Petition and Notice of Hearing**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that I served the above-entitled document(s) by regular mail and/or facsimile upon the following persons, addressed to them at the following addresses:

Covenant Aviation Security, LLC  
245 South Spruce Avenue  
South San Francisco, CA 94080  
F (650)635-7449

Service Employees International Union Local  
1877  
45 Polk Street, 2nd Floor  
San Francisco, CA 94102  
F (415)552-1307

Mr. Stephen J. Burke, Jr.  
Vice President  
United Screeners Association, Local One  
3661 Fleetwood Drive  
San Bruno, CA 94066

Peters Shorthand Reporting  
(via facsimile)

Subscribed and sworn to before me

DESIGNATED AGENT

/s/ Wendell L. Choo

this 6<sup>th</sup> day of April, 2007.

NATIONAL LABOR RELATIONS BOARD

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20

Covenant Aviation Security, LLC		Employer
and		
Stephen J. Burke, Jr.		Petitioner
and		
Service Employees International Union, Local 790		Union

Case 20-UD-445

and

Covenant Aviation Security, LLC		Employer
and		
Stephen J. Burke, Jr.		Petitioner
and		
Service Employees International Union, Local 1877		Union

Case 20-UD-447

**ORDER TO SHOW CAUSE**

In conducting the investigation preparatory to direction of an election in this matter, I received a request from the Employer to conduct the vote by mail ballot. Petitioner has indicated that he too prefers a mail ballot. Service Employees International Union, Local 790 has not responded to the Region's request for its opinion about the better manner in which to conduct the election.

The Employer bases its request on a change in the size of its employee complement subsequent to earlier elections that Region 20 conducted among employees in the bargaining unit. The Employer asserts that this change will make it much more difficult for

employees to vote during their working hours. The Employer also noted that the earlier elections were conducted in a secure area of San Francisco International Airport (SFO) that then was essentially vacant, and that this area may no longer be available. Petitioner added that because employees work varied schedules in terms of days per week, hours per day, and start times, a mail ballot may well yield higher participation rate than a manual election.

Twice before, in Case 20-RC-17896, Region 20 conducted a manual ballot election involving employees in the bargaining unit that will vote in this matter. Each of those elections was conducted at a single location at SFO, yet required six Board agents at each of four polling sessions that lasted up to 3.5 hours in length, a total commitment of more than 100 agent-hours if one accounts for travel and related chores. This effort to span as many voters' working hours as possible nevertheless posed problems, in part because on any single day only a portion of bargaining unit employees is scheduled to work, and additionally because employees work in several separate terminals. These difficulties no doubt accounted, at least in part, for the fact that during the February 2004 election, only 74% of eligible employees cast votes, and during the May 2005 election, 62% of eligible employees voted.

In these circumstances, I am inclined to approve the preference expressed by the Employer and Petitioner for a mail ballot election in this matter, because it seems likely to overcome the difficulties that they have noted and to result in a higher participation rate by employees who are eligible to vote. ACCORDINGLY, I HEREBY ORDER that any Party hereto show written cause, with supporting documentation, as to why I should not direct that the balloting in this matter be conducted by mail. To be considered, such cause must be submitted to me by the close of business on May 8, 2007.

Dated at San Francisco, California, this 1st day of May 2007.



s/Joseph P. Norelli

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Joseph P. Norelli, Regional Director  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, Ca 94103

INTERNET  
FORM NLRB-502  
(3-88)

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

Amended  
First Amended PETITION

DO NOT WRITE IN THIS SPACE	
Case No. 20-UD-447	Date Filed 5/1/2007

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering them accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

- PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
  - ☐ RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
  - ☐ RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
  - ☐ RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE) - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
  - ☒ UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES) - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between that employer and a labor organization desire that such authority be rescinded.
  - ☐ UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit previously certified. ☐ In unit previously certified in Case No. \_\_\_\_\_
  - ☐ AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_

2. Name of Employer  
Covenant Aviation Security, LLC  
Employer Representative to contact  
Telephone Number  
650-821-2300  
Teletypewriter Number (Fax)  
650-635-7449

3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code)  
245 South Spruce Avenue, South San Francisco, California 94080

4a. Type of Establishment (Factory, mine, wholesaler, etc.)  
Security  
4b. Identify principal product or service  
Airport Security

5. Unit involved in UC petition, describe present bargaining unit and attached description of proposed clarification.  
Included  
All full-time and regular part-time airport screeners, airport lead screeners, baggage screeners, baggage lead screeners, baggage handlers and 9000 socialists employed by the San Francisco International Airport, San Francisco, California.  
Excluded  
All other employees, office clerical employees, managerial employees and Supervisors as defined in the Act.  
6a. Number of Employees in Unit  
Present 1000  
Proposed (by UCAC)  
6b. Is this petition supported by 30% or more of the employees in the unit? ☒ Yes ☐ No  
\*Not applicable in RM, UC, and AC

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable.)  
7a. ☐ Request for recognition as Bargaining Representative was made on (Date) \_\_\_\_\_ and Employer declined recognition on or about (Date) \_\_\_\_\_ (If no reply received, so state.)  
7b. ☐ Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (If none, so state.)  
Service Employees International Union Local 710  
Affiliation  
Labor Union  
Date of Recognition or Certification  
September 30, 2005

9. Expiration Date of Current Contract, if any (Month, Day, Year)  
01/01/2009  
10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day, and Year) 01/01/2006

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes ☐ No ☒  
11b. If so, approximately how many employees are participating?  
11c. The Employer has been picketed by or on behalf of (Insert Name) \_\_\_\_\_ a labor organization, of whom Address \_\_\_\_\_ Since (Month, Day, Year) \_\_\_\_\_

12. Organizations or individuals other than Petitioner (and other than those named in Items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in Item 5 above. (If none, so state.)

Name	Affiliation	Address	Date of Claim
			Teletypewriter No. (Fax)

13. Full name of party filing petition (If labor organization, give full name, including local name and number)  
Stephen J. Burke, Jr.

14a. Address (street and number, city, state, and ZIP code)  
3661 Fleetwood Drive, San Bruno, California 94066  
14b. Telephone No.  
650-588-1690  
14c. Teletypewriter No. (Fax)

15. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when petition is filed by a labor organization)  
United Screeners Association, Local One

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.  
Name (Print)  
s/Stephen J. Burke, Jr. 5/1/07  
Stephen J. Burke, Jr.  
Address (street and number, city, state, and ZIP code)  
3661 Fleetwood Drive, San Bruno, California 94066  
Title (if any)  
Vice-President  
Telephone No. 650-588-1690  
Teletypewriter No. (Fax)

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

BOARD EXHIBIT 3



FORM NLRB-877  
(4-84)

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

Covenant Aviation Security, LLC

Employer

and

Stephen J. Burke, Jr.

Petitioner

and

Service Employees International Union Local 790

Union

CASE NO.: 20-UD-447

**AFFIDAVIT OF SERVICE OF First Amended Petition**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that I served the above-entitled document by facsimile upon the following persons:

Covenant Aviation Security, LLC  
F (650)635-7449

Ed Warshauer  
Service Employees International Union Local  
790  
F (415)431-6241

Mr. Stephen J. Burke, Jr.  
Vice President  
United Screeners Association, Local One  
F (650)452-1271

Anthony S. Graefe, Esq.  
Graefe & Hansen, Ltd.  
F (312)236-5517

Glenn M. Taubmann, Esq.  
National Right to Work Legal Defense  
Foundation, Inc.  
F (703)321-9319

William A. Sokol, Esq.  
Weinberg, Roger & Rosenfeld  
F (510)337-1023

Subscribed and sworn to before me

DESIGNATED AGENT

this 2<sup>nd</sup> day of May, 2007.

/s/ Wendell L. Choo

NATIONAL LABOR RELATIONS BOARD

VINCENT A. HARRINGTON, JR., Bar No. 071119  
 WEINBERG, ROGER & ROSENFELD  
 A Professional Corporation  
 1001 Marina Village Parkway, Suite 200  
 Alameda, California 94501-1091  
 Telephone 510.337.1001  
 Fax 510.337.1023

Attorneys for SEIU Locals 790 and 1877

UNITED STATES OF AMERICA  
 NATIONAL LABOR RELATIONS BOARD  
 REGION 20

Covenant Aviation Security, LLC,	Case No.	20-UD-445
Employer,		
and		
Stephen J. Burke, Jr.,		
Petitioner,		
and		
Service Employees International Union,		
Local 790,		
Union.		

Covenant Aviation Security, LLC,	Case No.	20-UD-447
Employer,		
and		
Stephen J. Burke, Jr.,		
Petitioner,		
and		
Service Employees International Union,		
Local 1877,		
Union.		

1 Service Employees International Union, Local 790, and Service Employees International  
2 Union, Local 1877, by counsel, hereby respond to the Board's Order to Show Cause regarding the  
3 method for conduct of any election on one or more of the above-referenced de-authorization  
4 petitions.

5 SEIU Locals 790 and 1877, jointly, take the position that the Labor Board is proceeding  
6 unlawfully, and in excess of its authority by conducting any election on either of these petitions,  
7 for all the reasons set forth by the Regional Director in his March 23, 2006 decision dismissing the  
8 petition filed in Case No. 20-UD-445. In light of the fact that the Board is proceeding in excess of  
9 its authority, and in violation of the National Labor Relations Act, SEIU Local 790 and 1877  
10 decline to respond to the Order to Show Cause:

11 Dated: May 8, 2007

12 WEINBERG, ROGER & ROSENFELD  
13 A Professional Corporation

14 s/Vincent A. Harrington, Jr.

15 By: VINCENT A. HARRINGTON, JR.  
16 Attorneys for SEIU Locals 790 and 1877

17 112079/456904



**PROOF OF SERVICE**  
(C.C.P. § 1013)

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On May 9, 2007, I served upon the following parties in this action:

Anthony S. Graefe  
Graefe & Hansen, Ltd.  
55 West Monroe Street, Suite 3550  
Chicago, IL 60603

Stephen Burke  
3661 Fleetwood Drive  
San Bruno, CA 94066

Covenant Aviation Security, LLC  
245 South Spruce Avenue  
South San Francisco, CA 94080

copies of the document(s) described as:

**Response to Order to Show Cause**

☒ **BY MAIL** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.

☐ **BY PERSONAL SERVICE** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused the same to be delivered by hand to the offices of each addressee.

☐ **BY OVERNIGHT DELIVERY SERVICE** I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and placed the same for collection by Overnight Delivery Service by following the ordinary business practices of Weinberg, Roger & Rosenfeld, Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of Overnight Delivery Service correspondence, said practice being that in the ordinary course of business, Overnight Delivery Service correspondence is deposited at the Overnight Delivery Service offices for next day delivery the same day as Overnight Delivery Service correspondence is placed for collection.

☐ **BY FACSIMILE** I caused to be transmitted each document listed herein via the fax number(s) listed above or on the attached service list.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on May 9, 2007.

s/Mary Piro

Mary Piro



**NATIONAL LABOR RELATIONS BOARD**

**Region 20**

901 Market Street, Suite 400  
San Francisco, California 94103

Telephone: 415/356-5152

FAX: 415/356-5156

Website: [www.nlrb.gov](http://www.nlrb.gov)

May 9, 2007

Covenant Aviation Security LLC  
245 South Spruce Avenue  
South San Francisco, CA 94080-4520

Anthony S. Graefe, Esq.  
Graefe & Hansen, Ltd.  
55 West Monroe, Suite 3550  
Chicago, IL 60603

Mr. Stephen J. Burke, Jr.  
3661 Fleetwood Drive  
San Bruno, CA 94066

Jeff Michaelson, Representative  
3661 Fleetwood Drive  
San Bruno, CA 94066

Ed Warshauer, Business Representative  
Service Employees International Union, Local 790  
1390 Market Street, Suite 118  
San Francisco, CA 94102

Vincent A. Harrington, Esq.  
Weinberg Roger & Rosenfeld  
1001 Marina Village Parkway, Ste. 200  
Alameda, CA 94501

Re: Covenant Aviation Security, LLC  
Case 20-UD-447

Gentlepersons:

On the basis of Region 20's investigation in the above-referenced matter, it appears appropriate now to conduct a secret-ballot election to determine whether bargaining unit employees of the Employer, Covenant Aviation Security, LLC, wish to withdraw the authority of Service Employees International Union, Local 790, under its agreement with Covenant, to require that employees make certain lawful payments to the Union in order to retain their jobs.

Accordingly, pursuant to Section 9(e)(1) of the National Labor Relations Act, as amended, and Section 102.85 of the Board's *Rules and Regulations*, Region 20 will conduct an election by secret ballot as described in the Notice of Election enclosed with this letter. I have decided that the voting will be conducted by mail for the following reasons.

The Employer advised that there has been a significant change in the size of its employee complement subsequent to earlier elections that Region 20 conducted among employees in the bargaining unit. The Employer asserted that this change would make it much more difficult for employees to vote during their working hours. The Employer also noted that the earlier elections were conducted in a secure area of San Francisco International Airport (SFO) that then was essentially vacant, and that this area may no longer be available. Petitioner added that because employees work varied schedules in terms of days per week, hours per day, and start times, a mail ballot might well yield higher participation rate than a manual election.

Twice before, in Case 20-RC-17896, Region 20 conducted a manual ballot election involving employees in the bargaining unit that will vote in this matter. Each of those elections was conducted at a single location at SFO, yet required six Board agents at each of four polling sessions that lasted up to 3.5 hours in length, a total commitment of more than 100 agent-hours if one accounts for travel and related chores. This effort to span as many voters' working hours as possible nevertheless posed problems, in part because on any single day only a portion of bargaining unit employees is scheduled to work, and additionally because employees work in several separate terminals. These difficulties no doubt accounted, at least in part, for the fact that during the February 2004 election, only 74% of eligible employees cast votes, and during the May 2005 election, 62% of eligible employees voted.

A mail ballot seems likely to overcome the difficulties noted above, and hence to result in a higher participation rate by employees who are eligible to vote. The Employer absolutely favors a mail ballot. Petitioner indicated that unless polling sessions were scheduled over at least three days, a feat that would prove daunting for some of the aforementioned reasons, he prefers a mail to a manual ballot. Although asked for its opinion on this question by means of an *Order to Show Cause*, SEIU Local 790 submitted no position. Accordingly, I have determined that because it seems likely to result in a higher voter participation rate, to prove less disruptive to the Employer's operation at SFO and to employees' work schedules, and to conserve resources, this election will be conducted by mail.

In order to ensure that eligible voters who exercise their statutory right to vote may have an opportunity to be informed about related issues, all parties to the election must have access to a list of such voters and their addresses. *Excelsior Underwear, Inc.*, 156 NLRB 1236; *NLRB v. Wyman-Gordon Co.*, 394 U.S. 759. Accordingly, I direct the Employer to submit to me by **May 16, 2007**, a clearly legible list that sets forth the names and addresses of all eligible voters. I shall, in turn, make that list available to the other parties to the election. No extension of time to file this list may be granted except in extraordinary circumstances. Failure to comply with this requirement shall provide the ground to set aside the election if a proper objection is timely filed. The Employer should alphabetize the names of the eligible voters, and if at all possible should submit mailing labels for the employees whom it lists.

The Employer must post the enclosed Notice of Election in a conspicuous place or places that are easily accessible to the employees involved. Pursuant to Section 103.20 of the Board's *Rules and Regulations*, the Employer must post the Notice at least **three (3) full working days** prior to 12:01 a.m. on the day of the election. In this matter, because ballots will be mailed on Monday, June 4, 2007, and the Board has defined working days to exclude Saturdays, Sundays and holidays, the Employer must post the Notice no later than Tuesday, May 29, 2007.

If you have any questions, please contact this Regional Office at the telephone number above.

Very truly yours,

s/Joseph P. Norelli

Joseph P. Norelli  
Regional Director

Enclosures: Affidavit of Posting and 20 Notices of Election

# INSTRUCTIONS TO ELIGIBLE EMPLOYEES VOTING BY UNITED STATES MAIL

Union: Service Employees International Union, Local 790

Case 20-UD-447

## VOTING UNIT

### ELIGIBLE TO VOTE:

All full-time and regular part-time Baggage Handlers, Screeners, Lead Screeners, CTX Operators, CTX 9000 Specialists, and CTX Leads employed by the Employer at San Francisco International Airport (SFO), San Francisco, California, during the payroll period ending May 4, 2007.

### NOT ELIGIBLE TO VOTE:



All other employees, office clerical employees, managerial employees, and supervisors as defined by the Act.

## TIME AND PLACE OF ELECTION

The election will be conducted by U.S. Mail for all eligible voters, under the direction and supervision of the Regional Director. The ballots will be mailed from the Regional Office on June 4, 2007, and must be received back in this Regional Office of the National Labor Relations Board by no later than 5:00 p.m. on June 18, 2007.

If you believe that you are an eligible voter and do not receive a ballot in the mail by June 7, 2007, communicate immediately with the Regional Director, 901 Market Street, Suite 400, San Francisco, California, (415) 356-5100.

The ballots will be commingled and counted at 10:00 a.m. on June 19, 2007, in the Regional Office, Courtroom A, 901 Market Street, Suite 400, San Francisco, California.

 <p>UNITED STATES OF AMERICA National Labor Relations Board</p> <p><small>Form No. 101 (Rev. 10-1-06)</small></p> <h2>OFFICIAL SECRET BALLOT</h2> <p>For certain employees of COVENANT AVIATION SECURITY, LLC</p>		
<p>Do you wish to withdraw the authority of your bargaining representative to require, under its agreement with the Employer, that employees make certain lawful payments to the Union in order to retain their jobs?</p>		
<p>MARK AN "X" IN THE SQUARE OF YOUR CHOICE</p>		
<p>YES</p> <p><input type="checkbox"/></p>	<p>NO</p> <p><input type="checkbox"/></p>	

DO NOT SIGN THIS BALLOT. Fold and drop in ballot box.  
If you spoil this ballot, return it to the Board Agent for a new one.